



17 JUL 2003
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In re Application of GO :
U.S. Application No.: 10/030,199 :
PCT Application No.: PCT/DE98/00694 :
Int. Filing Date: 10 March 1998 :
Priority Date Claimed: 19 March 1997 :
Attorney Docket No.: (none) :
For: MOTOR VEHICLE STEERING COLUMN :
AND SEAT BELTS WITH A PROTECTION :
DEVICE :

DECISION

This is in response to applicant's "Objection to Notification of Abandonment" filed 26 September 2002, which is being treated as a petition under 37 CFR 1.181.

BACKGROUND

On 10 March 1998, applicant filed international application PCT/DE98/00694, which claimed priority of an earlier Germany application filed 19 March 1997. A copy of the international application was communicated to the USPTO from the International Bureau on 24 September 1998. The twenty-month period for paying the basic national fee in the United States expired on 19 November 1998.

On 09 July 1999, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was not accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 28 August 2002, the DO/EO/US mailed a Notification of Abandonment (Form PCT/DO/EO/909), which indicated that the application is abandoned as to the United States for failure to pay the requisite basic national fee.

On 26 September 2002, applicant filed the present petition under 37 CFR 1.181 to withdraw the holding of abandonment.

DISCUSSION

The petition states that a check for \$2000.00 was submitted with the national stage application for PCT/DE97/00715 dated 01 October 1998. However, fees submitted for one application cannot be applied to a different application. The national stage submission for the present application did not contain an authorization to charge a valid deposit account. See MPEP 509.01.

Applicant submitted a credit card payment form on 26 September 2002. However, because the deadline for paying the basic national fee had already expired, the application remains abandoned.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.181 is DISMISSED without prejudice.

If reconsideration on the merits of the petition is desired, a proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Extensions of time are available under 37 CFR 1.136(a). Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.181".

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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